

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(PROCEEDINGS THROUGH V.C.)

113

CWP-2676-2022

Date of decision : 11.02.2022

Surinder Paul

Petitioner

V/S

Union of India and others

Respondents

**CORAM : HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. R.S. Bajaj, Advocate
for the petitioner.

Mr. Namit Kumar, Advocate
for Election Commission of India.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Dheeraj Jain, Senior Counsel for
respondent No.1-UOI.

RITU BAHRI, J. (ORAL)

Petitioner is seeking quashing of order dated 02.02.2022
(Annexure P-7) passed by respondent No.4 whereby the objections filed
by the petitioner against nomination filed by respondent No.5 for
contesting the Election for Punjab Vidhan Sabha Election have been
rejected.

At the very outset, learned counsel for Election
Commission of India has referred to Division Bench judgment of this
Court in a case of *Mahender vs. Election Commission of India & ors.*,
2019 (3) PLR 381 wherein this Court has referred to a judgment of
Hon'ble the Supreme Court of India in a case of *N.P. Ponnuswami v.*
The Returning Officer, Namakhal Constituency, Namakkal, Sale

Distt and others, 1952 AIR (SC) 64 and dismissed the writ petition by observing that once the election process has commenced, the High Court should restrain itself from exercising its jurisdiction under Article 226 of the Constitution of India and should permit an aggrieved candidate to get his grievance redressed through an election petition only.

In view of the above, no direction is required to be given in the present petition and the same is disposed of with liberty to the petitioner to take appropriate steps for the redressal of his grievances.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

11.02.2022
kothiyal

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No